OK TO ENTER: /JL/

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Donald W. Malackowski et al.

Serial No.: 10/677,874

Filed: October 2, 2003

For: Surgery System

Group Art Unit: 3739

Examiner: John P. Leubecker

Docket No.: 29997/035B

Customer No.: 29471

CERTIFICATE OF TRANSMISSION

I hereby certify that this paper is being transmitted herewith via EFS-Web Commissioner for Patents on:

October 6, 2009

Thomas P. Riley
Registration No. 50,556
Attorney for Applicants

AMENDMENT C – AFTER FINAL

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the final Office action dated August 19, 2009, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims at pages 2 through 5 of this paper.

Remarks begin on page 6 of this paper.

An **Appendix** including a declaration is attached hereto following page 8 of this paper.